

COUNSEL ASSIGNED TO DEFEND HUBBARD

P. Kimble and Wm. H. Lee to Defend Slayer of Thomas Dolphin in Court Next Week.

After the grand jury had made report in the case of the Commonwealth against Marsden A. Hubbard, the latter was called into open court before President Judge A. T. Searle this morning. F. P. Kimble, Esq., and Wm. H. Lee, Esq., were assigned as counsel to defend Hubbard in his trial next week. The report of the grand jury was brought before the rest of the cases before them were disposed of in order at the defense of Hubbard might be started at once. The following affidavit of the Clerk of the Court before whom Hubbard appeared:

Before me, a Clerk of Courts of quarter sessions of Wayne county, personally appeared, Marsden A. Hubbard, who says: I am now confined in the county jail at Honesdale and there has been found against me an indictment on a charge of murder. That I am wholly destitute of means to employ counsel and prepare for my defense. That I have consulted Frank P. Kimble and Wm. H. Lee, attorneys at Honesdale, who are assigned as counsel to defend me in this case. That I am desirous that assignment of counsel be made as early as possible so that the defense in the case may be prepared for trial at the October Sessions of court.

MARSDEN A. HUBBARD, sworn and Subscribed before me this 22nd day of October, 1912.

W. J. BARNES, Clerk of Court.

The following examination was made of Marsden A. Hubbard in open court by Judge A. T. Searle: Where is your home?

Wherever I can get a job.

Did you save any money?

No.

How old are you?

Thirty-eight years old.

Are you thirty-eight years old and haven't saved anything?

Yes.

Where is your wife?

At her home with her mother.

Have you any relatives?

I have one sister living at Denver, Colorado.

Have you any brothers?

No; I have two children.

Have you any property or money?

No; I have no means for paying for my defense.

If counsel is assigned you will you pay the money back to the county?

If I obtain sufficient money I will pay.

After due consideration and the above examination of Marsden A. Hubbard, the Court assigned the counsel as prayed for in the petition and as provided for in the Act of Assembly of March 22, 1907.

The case of the Commonwealth vs. Marsden A. Hubbard, for the murder of Thomas Dolphin on the night of July 28 at the latter's home near Keen's pond, will probably be taken up the first on the list Monday when court is called for the regular October term. It is thought that the case will take the greater part of two days.

DIED WHILE RECITING LORD'S PRAYER.

Frank Colwell, Formerly of Hawley and Waymart, Died at His Late Home in Carbondale.

Frank J. Colwell of Carbondale, died in the Bereau Baptist church Sunday morning while reciting the Lord's prayer. He was a victim of apoplexy. He had not been in the best of health for some time but apparently felt well enough to attend the divine services. While the congregation was standing he suddenly reeled and fell and Dr. W. J. Dowry was summoned and pronounced the man dead. Mr. Colwell was well-known in Wayne county, having been a native of Hawley. He was 61 years of age. He also resided some years in Waymart before taking up his residence in Carbondale.

Besides his wife he is survived by one daughter, Miss Florence Colwell, as a teacher in the public schools; one sister, Mrs. Harry Swingle, of Forest City; three brothers, Sidney and Fred, of Wilkes-Barre, and Arthur of Schenectady. The funeral will take place Wednesday afternoon. Services will be conducted at the home on High street at 1 o'clock by Rev. P. H. Lynch, and burial will be made in the family plot in the cemetery at Canaan Corners, Wayne county. He was a nephew of Mrs. John Bone of Honesdale.

Death of Mrs. Laura Lehnars.

Mrs. Laura Lehnars died Monday in the Home of the Good Shepherd, Scranton, aged 77 years. The remains were brought to Honesdale and taken to the home of her son-in-law, Ferdinand Flora. The funeral will be held this Wednesday morning from St. Mary's Magdalen's church at 9 o'clock and interment will be made in the Catholic cemetery. Mrs. Lehnars was born in Germany. She recently resided at Ariel. Mrs. Lehnars is survived by three brothers, Henry, Lambert and William Artman, of Honesdale; and two sisters, Mrs. Theodore Crocker, of Cherry Ridge; Mrs. Peter Benz, of Scranton.

MENNER & CO. TO FURNISH SHADES FOR FARVIEW HOSPITAL.

Menner & Company, of this place, have entered into contract with the commission of the Criminal Insane Hospital at Farview to furnish that institution with window shades. The balance of the furnishings has been awarded to John Wanamaker of Philadelphia and New York.

CELEBRATES 94th BIRTHDAY.

Mrs. Ann Moore of Hamlin Enjoys Festivities as Much as Youngest Although Over Four Score and Ten.

(Special to The Citizen.)

On Friday, October 18, Mrs. Ann Moore, of Hamlin, celebrated her ninety-fourth birthday anniversary with a dinner to a number of relatives and friends. At noon the guests were invited into the dining room, where the autumnal scheme of decoration was tastefully carried out. The house was charmingly decorated with autumn leaves and cut flowers.

Enthroned in a big arm chair in the bay window of the sitting room Mrs. Moore held court and bestowed the smile of royal favor upon all who came to pay their respects. At the table Mrs. Moore's place was at the head and in front of her was placed a high birthday cake adorned with candles. A basket of fruit ornamented with autumn leaves and garnished with golden ribbon formed an attractive centerpiece.

An elaborate dinner consisting of all sorts of appetizing things was served. At the close of the meal each guest was permitted to blow out one of the birthday candles, making a wish as it was done.

Although Mrs. Moore has reached her ninety-fourth mile stone she is still remarkably vigorous in body and mind, retaining the full use of her faculties. Her health is excellent and her mind is perfectly clear and active. She seemed to enjoy the festivity and merriment quite as much as the youngest of the party.

Among those present were: Mrs. Moore's two daughters, Miss Electa Moore, at home with her mother, Mrs. Byron Mott, Hollisterville, two daughters-in-law, Mrs. Agnes Moore, Hollisterville, and Mrs. Amada Moore, Maplewood; two grand-children, Mrs. Alton Black and Howard Moore, and five great-grand children, two being children of Mrs. Alton Black and three of Mr. and Mrs. Howard Moore.

Other guests were Mr. and Mrs. Harry Moore and daughter, Arlene, Mr. and Mrs. Mun Mitchell, Scranton, Mrs. Howard Moore, Mrs. Del Brown, George Stanton and sister, Nella, Miss Octa Brown, Mrs. Marion Franc and daughter, Grace, Mrs. Laura Alt, Mrs. Carrie Leonard and Mrs. Alice Mouchey.

Death of Mrs. John Seitz.

Madeline Wickman, wife of the late John Seitz, died of diabetes, at her home on Fair avenue last Friday morning. Mrs. Seitz received a slight paralytic stroke Thursday, which was followed by another Friday, resulting in her death. In her death the family and loved ones have been called to mourn the loss of a mother and sister in two months, the latter being Mrs. Charles Thomas, who passed away the latter part of August.

Madeline Wickman was the youngest daughter of the late Margaret and John Wickman, the surviving sisters being Mrs. John Krantz, Honesdale; Mrs. Elizabeth Vetter, of Scranton; Mrs. Anthony Stake, of Waverly. The subject of this sketch was born in Hessen, Germany, April 16, 1841, and came to America with her parents when six years of age. The family immediately took up their residence in Honesdale and for many years lived in a log cabin near Blandin Flats. Madeline Wickman was united in marriage with John Seitz 52 years ago last June. The following surviving children blessed their home: Mrs. William Crist, John, William and Fred Seitz, of Honesdale, and Mrs. Max LaRue, of Brooklyn.

Mrs. Seitz was the last surviving member of the first confirmation class in St. John's former Lutheran church. She was a faithful member of same and leaves a number of sorrowing friends who sympathize with the relatives in their bereavement.

The funeral, which was largely attended from her late home on Fair avenue, was held at 3 o'clock Sunday afternoon, Rev. C. C. Miller officiating. The remains were afterwards tenderly carried from the house to the Lutheran cemetery nearby by the following bearers: Charles and Frank Thomas, William, John, Fred Seitz and William Crist.

REAL ESTATE TRANSFERS.

William Hartmayer et ux. of New York, to Katherine Knapp, of Salem, land in Salem township; consideration, \$1.

Heirs of John Markey, late of Texas, to Adolf Linke et ux. of Texas, land in Texas township; consideration, \$1400.

C. L. Simons et ux. of Salem to Harris Goldman of New York, land in Salem township; consideration, \$3000.

Jacob J. Hauser et ux. of Dyberry, to John H. Strongman of Bethany, land in Bethany; consideration, \$1.

Alice P. Tremaine and Frank Tremaine of Damascus, to Emma Lucke, of New York, land in Damascus township; consideration, \$800.

Heirs of Norman Jenkins, late of Wayne county, to Frank Hollenbeck, of Carbondale, land in Canaan township; consideration \$6000.

MARRIAGE LICENSES.

William A. Tanner..... Aldenville

Anna Noble Monse.....Mt. Pleasant

Floyd A. Chapman.....Ariel

Minnie H. Kramer.....Mt. Cobb

(Above granted in Scranton.)

William Allenbacher.....Honesdale

Hazel Walter.....Seelyville

Michael K. McDermott.....Cochecton, N. Y.

Rosella Burke.....Galilee

COMMISSIONERS TO MEET OCTOBER 20.

Owing to election day falling upon the regular monthly meeting day of the Wayne county commissioners, the board will meet on Tuesday, Oct. 29th, instead.

The All Important Question.



Which party has kept this envelope filled?—Kansas City Journal.

HELD FOR COURT; ILLEGAL SALE OF LIQUOR

South Canaan Man Held For Court For Illegal Selling of Liquor—Tony Perri of Farview Also Held Under \$200 Bond.

Morton Hines, of South Canaan, was given a hearing before Squire R. A. Smith on Tuesday last, charged by the Commonwealth with selling liquor without a license. The following witnesses were sworn and testified in behalf of the Commonwealth: Harry Robinson, Harry Wagner, E. E. Swan, James Wagner, Samuel Robinson, John Wittig, Geo. Wittig, E. D. Spangenberg and Philip Spangenberg.

Harry Robinson and Harry Wagner swore that they had drunk beer at Hines, that they had Mr. Hines fetch it to them from Carbondale, having him pay for it at Carbondale, and had Mr. Hines deliver it and that they drank it at his home.

E. E. Swan swore that at one time some three or four years ago he had Mr. Hines bring him some whiskey from Carbondale.

George Wittig testified that he had been to Morton Hines a number of times within the last two years and that he had seen whiskey and beer drunk there and that he had seen whiskey and beer drunk there. Witness could not swear that he had seen whiskey or beer bought there. He testified to seeing Mr. Swan, Harry Wagner and Samuel Robinson there at various times when he was there. Witness thought he was there one time with George Wittig.

Samuel Robinson swore that he had been at Morton Hines a number of times within the past two years, that he had purchased lager beer and whiskey there from Morton Hines and that he had purchased it for other persons. Witness testified that he had paid Morton Hines for whiskey and beer but that he owed him for it, that he had asked Hines for a bill. Hines would not give him a bill. Witness also swore that he saw George Wittig pay for beer on Christmas day in 1911.

John Wittig testified that he had seen parties come from Mr. Hines under the influence of drink, that he had not seen them actually come from the house but that they had informed him that they had secured their liquor at Morton Hines.

E. D. Spangenberg also testified to substantially the same thing. Philip Spangenberg, a neighbor of Morton Hines, said that he had been at his place a number of times within the past two years and that he had a drink there and that Morton had at one time given him a bottle of porter and also treated him to either whiskey or gin, witness not being sure of which. Witness, however, had never seen any one buy whiskey or beer there.

Commonwealth was represented by District Attorney M. E. Simons. Defendant was represented by Searle & Salmon.

Hines was held for his appearance at court under \$200 bail.

Tony Perri, an Italian, living at Farview, was brought to Honesdale on Tuesday morning by Sheriff F. C. Kimble on a warrant sworn out by N. B. Spencer, county detective. Perri is charged with selling liquor without a license at Farview. Attorney M. E. Simons conducted the prosecution and Searle & Salmon represented Perri.

Two witnesses were called by the prosecution, Mr. Hartman and A. F. Schimmel, who testified that they had bought and paid for lager beer and whiskey at Perri's place at Farview, Wayne county. As Perri could not talk English an interpreter was required. He pled "not guilty" and waived a hearing. He was placed under \$200 bond for his appearance at court.

WILD CATS NUMEROUS.

The farmers living between Brannan and Kellam are molested with wild cats. They come out of the mountains and are nightly visitors of the chicken coops. Several farmers are heavy losers of chickens caused by these prowling wild cats.

FIREMEN'S BALL WAS A BIG SUCCESS

Everybody Enjoys the Annual Reception, Concert and Ball of Protection Engine Company No. 3 Held in Armory Friday Evening.

The fifty-ninth annual reception, concert and ball of Protection Engine Company No. 3 was held in the new State armory on Friday evening of last week, when one of the largest crowds in the history of the company was present.

The Armory was beautifully decorated with draped American flags and bunting hanging over the rafters. The general effect was pleasing to the eye and very artistic. The orchestra was partly hidden back of a wall of ferns and palms.

At a little after eight o'clock when all the seats in the armory were occupied and many standing, the orchestra opened the evening's entertainment. After one selection, Charles P. Searle, Esq., in the interest of the company, made a few remarks of welcome, in the absence of President W. W. Wood. He concluded with introducing the Keystone Quartette who entertained the audience for about an hour with popular selections. The hall was then cleared for dancing but the number of people was so great until after 11 o'clock that dancing was difficult.

A fine supper was served in the basement of the armory by Mrs. J. C. Brown and a corps of ladies.

Among those present were some who had been attending the annual balls of Protection Engine Co. No. 3 since the opening affair of that company.

It was estimated that there were between eight and nine hundred people present. About \$600 was realized by the company.

The committees in charge of the affair are as follows:

Executive—H. H. Richards, chairman, J. A. Bodie, Jr., W. H. Bader, J. M. Lyons, Chas. Truscott, F. F. Gallagher, N. B. Spencer, Charles Fletcher, J. Carmichael, F. W. Schuerholz, secretary.

Reception—The entire company. Officers of Protection Engine Co. No. 3: President, W. W. Wood; vice-president, W. J. Ferber; secretary, F. W. Schuerholz; treasurer, W. H. Bader; foreman, H. H. Richards; 1st assistant, J. Carmichael; 2nd assistant, C. H. Rettew; engineer, J. M. Lyons; 1st assistant, J. H. Carroll; stoker, Chas. Truscott; foreman of hose, F. McMullen, Jr.; trustees, C. P. Searle, H. A. Tingley, N. B. Spencer.

PRESBYTERY MEETS AND INSTALLS REV. BUCHANAN.

The Lackawanna Presbytery met at the First Baptist church at Hawley on Friday afternoon, Oct. 18, at 3:30 o'clock. The Rev. W. T. Buchanan, pastor of the church there was received from the Presbytery of Lehigh, his call to the church confirmed and his installation followed. The Rev. Dr. Lansing was dismissed to the Presbytery at Jersey City. An interesting sermon was preached in the evening by Rev. F. von Krug, D. D., of Wyoming. The charge to the pastor was given by Rev. W. H. Swift, D. D., of Honesdale. The charge to the people was given by Rev. H. R. Rinker, D. D., of Pittston, and the Rev. S. L. Haynes, D. D., of Kingston. Moderator of the Presbytery presided and conducted the installation services.

SHOT IN LEG WITH RIFLE.

Adalene, little daughter of Mr. and Mrs. Fred Smith of River street, was accidentally shot in the leg by one of her little brothers last Saturday. The boys were playing with the rifle when, in some manner, it was discharged, the contents striking the shin-bone. It is evident that the bullet glanced, striking something hard before it penetrated the little girl's leg as it was flattened. It was about the size of a five cent piece. Dr. F. W. Powell was called.

Callicoon Road Incorporated.

The Liberty and Callicoon Railroad corporation was incorporated Tuesday at Albany with a capital of \$200,000 to operate an electric or steam road in Sullivan county from Liberty, through White Sulphur Springs and Youngsville to Jeffersonville, a distance of 14 miles. The directors include Lowell H. Brown and Archer Brown, New York; Stanley F. Crocker, Brooklyn; Charles B. Ward and Frank E. Bridges, Liberty.

THAT PARK STREET SEWER.

Borough Council and Park Street Sewer Company Clash in Connecting Sewer With Property of C. T. Bentley.

The differences existing between the Park Street Sewer company and the borough council, is expected to be adjusted within a few days. It looked for a time that the Park Street Sewer company might be able to hold up the town and ignore the authority of the town council to control at least that public thoroughfare of the borough. It required an opinion from the borough solicitor who advised the council of the right to stop any attempt on the part of the sewer company to connect individuals with their line on Park street.

The trouble, which has been brewing the past two weeks between the borough council and the Park Street Sewer company came to a crisis on Saturday when the Park Street Sewer company attempted to connect with the property of C. T. Bentley for sewer privileges. The borough council undertook to negotiate with the sewer company some weeks ago to take over the Park Street Sewer company for what they considered a sufficient compensation. The sewer company refused to be taken over, and asserted what they claimed to be their rights and maintain the sewer independent of any borough authority.

The sewer company was notified by the town council that any move on their part to dig the streets for connecting a series of sewers or to an individual owner would be resisted by the borough council and that legal action would be taken to restrain the sewer company from any further use of the streets. The company, however, disregarding this notice, undertook to connect the sewer from the property of Mr. Bentley when the matter came to a climax.

PENNSYLVANIA GEOLOGICAL SURVEY.

Talc and Serpentine in Northampton County—The Portland Cement Industry in the Lehigh District.

The Topographic and Geologic Survey of Pennsylvania is not only engaged in mapping the State topographically, in co-operation with the United States Geological Survey, but is also carrying on the study of the mineral resources of the State. A report of the Talc and Serpentine of Northampton County and the Cement Resources of the Lehigh Cement District in this state has been issued. A study of these subjects was made for the Survey by Dr. Frederick B. Peck, and the results published as Report No. 5.

The report describes the occurrences of Talc and Serpentine and the quarries in operation, together with the methods of preparing the same for market, and the uses to which it is put.

The Lehigh Portland Cement District in this state is described in detail. A short account of the geology of the District is followed by a review of the origin and growth of the Portland cement industry in the United States, which in its earlier years meant the developments in the Lehigh District. The present methods of manufacture are described, and the history of the changes in the details of manufacture is given. A short account of the methods of testing cement and of the properties of Portland cement, of the growth of the output and the decline in prices is given, and a list of manufacturers in Pennsylvania closes the report.

The report is accompanied by a map showing the distribution of the Talc and Serpentine and of the cement materials, together with the location of the various cement plants in the district.

A copy of the report can be had by application to the State Geologist, at Beaver, Pa.

NEWSPAPER SUSPENDS.

The Gate Keeper, a fifty-cents-a-year paper at Wellsboro, has suspended publication. Other Wellsboro papers are \$1.50 a year. If a fifty cent paper could get three times as many subscribers as a .150 paper things would be far from evened up, because they would have to use three times as much paper.

When fifty cents fails to cover the cost of white paper, and paper going up every thirty days, the more subscribers a fifty cent paper has the worse off it is. The Gate Keeper was a nice little paper, and said some very "sassy" things to some people.

STATE TO RESTORE ELK.

Pennsylvania's game preserves which have within the last year been stocked with deer, wild turkey, pheasants, quail and other game through the efforts of the State Game commission, are to receive a large consignment of elk within three months. The last elk was killed in Pennsylvania in 1874, and there is now no law governing the killing of the animal. It is possible that the next legislature will be asked to amend laws providing for an open season. Meanwhile the elk will be kept closely within preserves.

TO DEDICATE CARNEGIE

Pastor C. C. Miller announced to his congregation in St. John's Lutheran church last Sunday morning that the new Carnegie pipe organ would be ready for dedication the first Sunday in November.

RED SOX PLAYERS

TO RECEIVE \$4,000 EACH. Within a few days the Red Sox players will receive checks for their individual share of the world's series receipts. They will get over \$4,000 each, a greater sum than the salaries of many of them.

GRAND JURY MET MONDAY

True Bills Returned—Other Business of Court Which Convened Monday—Hubbard Held.

Court convened at two o'clock Monday afternoon with President Judge A. T. Searle on the bench. The business usually transacted on the Monday preceding the opening of the regular term of court was transacted. The constables from the townships were all present and presented their returns. G. W. Collins, of Cherry Ridge, was chosen to act as constable of the grand jury. F. K. Spry of Oregon, A. W. Schweser of Palmyra, A. Goble of Pampack, J. L. Sherwood of Preston and Ralph Hankins of Prompton, were appointed constables to wait upon the court next week at the regular October term.

Among the constables' returns there were several violations of the law and District Attorney M. E. Simons was instructed by the court to prosecute all cases reported. The following are some of the violations: Buckingham—Roads in bad condition. Supervisors notified.

Salem—Slot machine reported in operation in place of business of Otto Dolmet.

Prompton—Second report of notification to put up index boards. Prompton borough notified and failed to put them up.

Preston—Against O. & W. Railroad Company for not protecting snow bank on road to Poyntelle. Prosecution ordered against O. & W.

Mt. Pleasant—Newburg Turnpike road reported in bad condition.

Manchester—South branch road reported in bad condition. New stone road. Not graded.

Honesdale—Constable DeGroat reported that he had been obliged to close the Commercial Hotel on several dates about three a. m. after closing hour. Sept. 15 at 3 a. m. was one of the dates. He said he had always found people drinking there and being disorderly.

Dyberry—Reports guard boards not put up. Prosecution ordered.

The grand jury was next called, there being just twenty-three present. The members of the grand jury are:

Berlin—Minor Crosby.
Canaan—Wm. Short.
Clinton—Wm. Carpenter.
Cherry Ridge—Wm. Roe.
Damascus—S. J. Tyler.
Dyberry—C. E. Homan.
Hawley—Chas. Bellman, E. L. Schlager.

Honesdale—H. A. Tingley, Andrew Thompson.

Lebanon—Wm. Justin.

Lake—C. Clark.

Mt. Pleasant—J. F. Conner.

Manchester—Charles Cole.

Palmyra—George Hittinger.

Preston—John Davall.

Scott—Chas. Blanford.

Starrucca—S. L. Glover.

Sterling—S. G. Webster.

South Canaan—C. B. Cobb.

Texas—E. J. Reid, F. LaPoint, Frank Hessling.

Andrew Thompson was appointed foreman of jury.

The jury made a partial report on Tuesday morning in the case of the Commonwealth against Marsden A. Hubbard. A true bill was found in the first and second counts.

The following motions were made:

Petition of Bertha E. Wilcox, minor child of Rebecca L. Wilcox, late of Mt. Pleasant, for appointment of E. A. Ledgway, Jr., as guardian. Petition approved. Bond fixed at \$200.

Bond of Myrtle Swingle, administratrix of J. Lee Swingle, late of South Canaan, approved.

In re petition of Myrtle Swingle, administratrix of J. Lee Swingle, deceased. Bond approved. Returnable the 2nd Monday in December.

Petition of Frances J. Bennett of Honesdale for the adoption of Frederika E. Turner, aged 27 years. Adoption as child and heir approved.

Petition for adoption by James Pope of Mt. Pleasant of Edna Viola Shearer, approved. She is to take name of Edna Viola Pope as child and heir.

INTERESTING LIQUOR CASE RULING.

On the ground that the furnishing by a club of liquor to its members without profit does not constitute a "sale" within the meaning of the law, the superior court in Philadelphia, in an opinion filed Monday by Judge Morrison, reversed the decision of the Venango county courts in the case of H. H. Krotzer, steward of the Fraternal Order of Eagles, Aerie No. 328 of Franklin, Pa., who was convicted of selling liquor without a license. Judge Morrison quoted from a decision of Justice Dean of the Supreme court, who held that in furnishing liquor to its members a club merely carries out "a method of distribution of the common property."

APPLES \$1 A BARREL.

IN SCHOHARIE. Apples of fine quality are selling in Schoharie county, N. Y., for \$1.00 per barrel, the buyer furnishing the packages. In New York City 142,037 barrels were received last week; and the price range from \$2 to \$2.75 per barrel for Baldwins, Kings and Gravensteins, and as high as \$3 and \$4 for superior McIntosh and Alexanders.

INSTALLATION OF OFFICERS.

Freedom Lodge of Odd Fellows, No. 88, had installation of officers on Monday evening as follows: Noble Grand, R. M. Stocker; vice grand, T. Y. Boyd; treasurer, A. C. Lindsay; secretary, W. A. Sluman; A. M. Cook, district deputy grand master, of Canaan, installed the officers.